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TITLE 511 INDIANA STATE BOARD OF EDUCATION

**Proposed Rule**  
LSA Document #09-358

DIGEST

Amends [511 IAC 5-2-3](#) concerning the applicability of the Indiana Statewide Testing for Educational Progress Program. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

**[511 IAC 5-2-3](#)**

SECTION 1. [511 IAC 5-2-3](#) IS AMENDED TO READ AS FOLLOWS:

**[511 IAC 5-2-3](#) Applicability**

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-24](#); [IC 20-26-15](#); [IC 20-31-8](#); [IC 20-32-8](#)

Sec. 3. (a) ~~Any~~ **The following shall participate in the ISTEP program:**

- (1) A nonpublic school seeking accreditation, and all including a freeway school under [IC 20-26-15](#).**
- (2) A charter school under [IC 20-24](#).**
- (3) A school operated by the state of Indiana.**
- (4) A school corporation.**

**(b) A school corporations that participates in the ISTEP shall administer the following tests and assessments as appropriate to the grade levels in the school:**

- (1) ISTEP criterion-referenced test to each student tests in English language arts and mathematics in grades 3, 4, 5, 6, 7, and 8. and 10.**
- (2) ISTEP tests in science in grades 4 and 6.**
- (3) ISTEP tests in social studies in grades 5 and 7.**
- (4) The graduation examination, consisting of the following Core 40 end of course assessments:**
  - (A) Algebra I.**
  - (B) English 10.**
- (5) The Biology I Core 40 end of course assessment to fulfill the federal high science testing requirement.**
- (6) Each Core 40 end of course assessment used for accountability purposes under [IC 20-31-8](#).**

**(c) Core 40 end of course assessment shall be administered to a student when the student completes the corresponding course.**

~~(b)~~ **(d) A student with a disability under [511 IAC 7](#) shall participate in the ISTEP program as required by federal law.**

~~(c)~~ **(e) A student:**

- (1) whose primary language is other than English; and**
- (2) who is a student with limited English proficiency;**

**shall participate in the ISTEP program as required by federal law.**

~~(d)~~ **(f) The building principal must document the exemption of a student from participation in the ISTEP program in the student's permanent educational record. For a student under subsection ~~(b)~~; (d), the student's participation must be included in the student's IEP as defined under [511 IAC 7](#). For a student under subsection (e), the student's participation must be included in the student's individual learning plan.**

*(Indiana State Board of Education; [511 IAC 5-2-3](#); filed May 4, 1988, 8:40 a.m.: 11 IR 3037; filed Nov 13, 2000, 8:01 a.m.: 24 IR 994; readopted filed Oct 12, 2001, 12:55 p.m.: 25 IR 937; filed Dec 2, 2001, 12:22 p.m.: 25 IR*

1148; filed Jun 17, 2003, 9:30 a.m.: 26 IR 3645; readopted filed Nov 4, 2009, 12:03 p.m.:  
[20091202-IR-511090701RFA](#))

[Notice of Public Hearing](#)

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